

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA

v.

WALDIR FRANCISCO DEOLIVEIRA

)
)
)
) Criminal No. 04-10016-NG
)
)

ASSENTED TO MOTION TO EXCLUDE TIME

The United States, by and through its attorneys, United States Attorney Michael J. Sullivan and Assistant United States Attorney Seth P. Berman, moves pursuant to 18 U.S.C. §3161 (h)(8)(A), to exclude the period of time commencing on May 6, 2004 and ending on June 25, 2004. As grounds therefor, the parties state that the defendant and his counsel need additional time to determine whether a change of plea is an appropriate resolution of this case.

The defendant, by and through his attorney Stephen Weymouth, Esq., assents to this motion.

WHEREFORE, the United States respectfully requests that pursuant to 18 U.S.C. §3161(h)(8)(A) and §5(c)(1)(A) of Plan for Prompt Disposition of Criminal Cases of this Court, that this Court find, based on the above, that the ends of justice served by granting the requested exclusion outweigh the best interest of the public and the defendant in a speedy trial, and, accordingly, exclude the above period in computing the time within which trial must commence under 18 U.S.C. §3161.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Seth P. Berman
SETH P. BERMAN
Assistant U.S. Attorney

DATED: May 6, 2004

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the person listed below a copy of the foregoing document by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery:

Stephen J. Weymouth
650 Atlantic Avenue
Boston, MA 02110

This 6th day of May, 2004.

/s/ Seth P. Berman
SETH P. BERMAN
ASSISTANT UNITED STATES ATTORNEY